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Xerox Docket No. D/95213/D2R



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

5
5/30/07

In re the Reissue Application of

Michael J. NICKERSON

Group Art Unit: 2622

Application No.: 10/034,113

Examiner: Mark Wallerson

Filed: January 3, 2002

U.S. Patent No. 6,078,406

Docket No.: 110794.98

Issued: June 20, 2000

For: JOB INFORMATION COMMUNICATION SYSTEM FOR A PRINTING SYSTEM

RESPONSE TO QUAYLE ACTION

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

In reply to the February 18, 2005 Quayle Action, the following is submitted:

Formal Drawings as replacement sheets,

Form PTO/SB/55; and

Remarks.

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REMARKS

Claims 1-35 are pending in this application. Applicant appreciates the Quayle Action's indication that claims 1-35 are allowed. Accordingly, Applicant submits formal drawings, and Form PTO/SB/55 indicating that the ribboned original patent grant is lost or inaccessible under 37 C.F.R. §1.178(a).

The Quayle Action objects to the application under 37 C.F.R. §1.172(a) as lacking the written consent of all assignees. This objection is respectfully traversed.

The Quayle Action asserts that the Consent of Assignee to Reissue and Offer to Surrender Patent (the "Consent of Assignee"), filed on January 3, 2002, is defective because it does not establish the percentage of ownership, i.e., "the entire right, title and interest is vested in" The Quayle Action thus requests a new consent statement.

Applicant respectfully submits that the January 3, 2002 Consent of Assignee fully satisfies the requirements under 37 C.F.R. §1.172 and §3.73, because the Consent of Assignee is a signed statement that (1) identifies Xerox Corporation as the assignee, and (2) specifies that an Assignment was recorded in the U.S. Patent and Trademark Office on January 11, 1996 at Reel 7866, Frame 0650.

The Quayle Action appears to require that the Consent of Assignee to contain a statement regarding the percentage of ownership. However, Applicant respectfully notes that, under 37 C.F.R. §1.172(c), the percentage needs to be indicated only if the Consent of Assignee is submitted by an assignee of less than the entire right, title and interest. 37 C.F.R. §3.73 does not require an indication of the percentage when the assignee is not of less than the entire right, title and interest.

Xerox Corporation is the only assignee of the present application with "full and exclusive right," as evidenced in the above-identified assignment recorded at the U.S. Patent and Trademark Office. (For the Examiner's convenience, a courtesy copy of the assignment

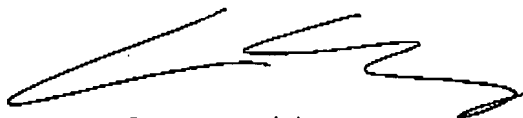
Xerox Docket No. D/95213/D2R
Application No. 10/034,113

is attached hereto.) Therefore, Xerox Corporation is not required to indicate a percentage of its ownership of the present application.

For at least the above reason, the January 3, 2002 Consent of Assignee is in full compliance with the requirements of 37 C.F.R. §1.172 and §3.73. Accordingly, withdrawal of the objection to the application under 37 C.F.R. §1.172(a) is respectfully requested.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Gang Luo
Registration No. 50,559

JAO:GXL/mdw

Attachments:

Formal Drawings
Form PTO SB/55
Courtesy Copy of Assignment

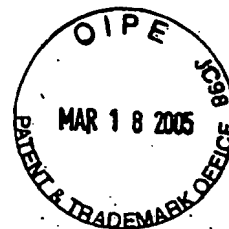
Date: March 18, 2005

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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MANUAL OF PATENT EXAMINING PROCEDURE



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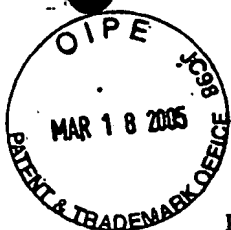
PTO/SB/55 (05-03)
Approved for use through 01/31/2004. OMB 0501-0033
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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REISSUE PATENT APPLICATION STATEMENT AS TO LOSS OF ORIGINAL PATENT	Docket Number (Optional)
I hereby state that: I am a registered practitioner representing the applicant for a reissue patent based on the original patent identified below.	
Name of Inventor(s)/Assignee(s) Michael J. NICKERSON	
Patent Number 6,878,406	
Title of Invention JOB INFORMATION COMMUNICATION SYSTEM FOR A PRINTING SYSTEM	
Reissue application number (if known) 10/034,113	
The ribboned original patent grant is lost or inaccessible.	
Signature 	
Typed or printed name Gang Luo, Reg. No. 50,559	Date 3-18-05
Title (e.g., inventor(s), officer of assignee)	
<div style="text-align: center;"> <p>MAILED</p> <p>MAR 23 2005</p> <p>Technology Center 2600</p> </div>	

This collection of information is required by 37 CFR 1.178. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



D/95213
UNITED STATES DEPARTMENT OF COMMERCE
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Washington, D.C. 20231

JUNE 20, 1996

XEROX CORPORATION
GARY B. COHEN
PATENT DEPARTMENT-DOCKET
XEROX SQUARE - 20A
ROCHESTER, NY 14644

PTAS

RECEIVED

JUN 28 1996

PATENT DEPARTMENT



100164771A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 01/11/1996

REEL/FRAME: 7866/0650
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

NICKERSON, MICHAEL J.

DOC DATE: 12/20/1995

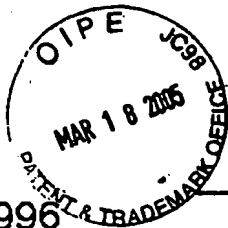
ASSIGNEE:

XEROX CORPORATION
800 LONG RIDGE ROAD
P.O. BOX 1600
STAMFORD, CONNECTICUT 06904-1600

SERIAL NUMBER: 08584583
PATENT NUMBER:

FILING DATE: 01/11/1996
ISSUE DATE:

LAWAN FLETCHER, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



A/P

04-03-1996

U. S. DEPARTMENT OF COMMERCE
Patent and Trademark Office



Number **D/95213**

To the Honorable Commissioner of

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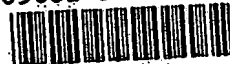
Patent assignment document.

1. Name of Party(ies) conveying an interest:

Michael J. Nickerson

MRD
1-11-96

69652 U. S. PTO



03/14/96

Additional name(s) of conveying party(ies)
attached?

☐ Yes ☒ No

2. Name and Address of receiving Party(ies) :

Xerox Corporation

800 Long Ridge Road
P.O. Box 1600
Stamford
Connecticut
06904-1600

Additional name(s) & address(es)
attached?

☐ Yes ☒ No

3. Nature of Conveyance: **ASSIGNMENT**

Execution Date: **12/20/95**

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

December 20, 1995

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and Address of party to whom
correspondence concerning document
should be mailed:

Xerox Corporation
Patent Department-Docket
Xerox Square - 20A
Rochester, New York 14644

6. Total number of applications and patents involved = **1**

7. Total fee (37 CFR 3.41): **\$40.00**

☐ Enclosed

☒ Authorized to be charged to Deposit Account

8. Deposit Account Number: **24-0025**

(Attach 2 duplicate copies of this page if paying by Deposit Acct.)

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Gary B. Cohen

Name of Person Signing

signature

December 21, 1995

Date

Total number of pages comprising this document: **200**
20023 581 02/05/96 08584583 40.00CH

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Page 1

ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, I, the undersigned,

Michael J. Nickerson

who has created a certain invention for which an application for United States Letters Patent has been executed concurrently herewith and is entitled

JOB INFORMATION COMMUNICATION SYSTEM FOR A PRINTING SYSTEM

Do hereby sell, assign and transfer to XEROX CORPORATION, a corporation of the State of New York having a place of business at Stamford, in the County of Fairfield, and State of Connecticut, its successors, assigns, and legal representatives, the full and exclusive right to said invention and said application and to any and all inventions described in said application for the United States, its territorial possessions and all foreign countries, and the entire right, title and interest in and to any and all Letters Patent which may be granted therefor in the United States, its territorial possessions and all foreign countries; and in and to any and all continuations-in-part, continuations, divisions, substitutes, reissues, extensions thereof, and all other applications for Letters Patent relating thereto which have been or shall be filed in the United States, its territorial possessions and/or any foreign countries, and all rights, together with all priority rights, under any of the international conventions, unions, agreements, acts, and treaties, including all future conventions, unions, agreements, acts, and treaties;

Agree that XEROX CORPORATION, hereinafter referred to as Assignee, may apply for and receive Letters Patent for said invention and said inventions, hereinafter referred to as said invention, in its own name, in the United States, its territorial possessions, and all foreign countries; and that, when requested to carry out in good faith the intent and purpose of this assignment, at the expense of said Assignee, its successors, assigns and legal representatives, the undersigned will execute all continuations-in-part, continuations, divisions, substitutes, reissues, extensions thereof, execute all rightful oaths, assignments, powers of attorney and other papers, testify in any legal or quasi legal proceedings; communicate to said Assignee, its successors, assigns or legal representatives all facts known to the undersigned relating to said invention and the history thereof; and generally do everything possible which said Assignee, its successors, assigns, or legal representatives shall consider desirable for aiding in securing, maintaining and enforcing proper patent protection for said invention and for vesting title to said invention and all applications for patents on said invention in said Assignee, its successors, assigns, or legal representatives; and

Covenant with said Assignee, its successors, assigns, or legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

IN TESTIMONY WHEREOF I have hereunto set MY signature on the date indicated below.


Michael J. Nickerson Date 12/20/95

Return Address: Xerox Patent Department
Xerox Square 20A
Rochester, New York 14644